

PATENT APPLICATION NO. 09/546,280
ATTORNEY DOCKET NO. 57761.000118

REMARKS

The Office Action has been received and carefully considered. Claims 1-4 and 6-17 are pending in the application. By this amendment claims 1, 6, and 7 are amended, and claim 5 is canceled without prejudice or disclaimer to the subject matter set forth therein. Reconsideration and allowance in view of the foregoing amendments and following remarks are respectfully requested.

No new matter is added by this Amendment. Applicant believes that the application is now in condition for allowance and notice thereof is respectfully requested.

A. The Reference to 37 C.F.R. 1.75(a) Objections in the Office Action

The Office Action refers to 37 C.F.R. 1.75(a) objections in paragraph 4 of the January 5, 2004 Office Action. However, no 37 C.F.R. 1.75(a) objections appear to be set forth in the January 5, 2004 Office Action. Rather, such rejections were set forth in the prior May 30, 2003 Office Action.

Accordingly, it appears that the January 5, 2004 Office Action's reference to the 37 C.F.R. 1.75(a) objections is an oversight. The Examiner is requested to contact Applicant if this understanding is in any way incorrect.

PATENT APPLICATION NO. 09/546,280
ATTORNEY DOCKET NO. 57761.000118

B. The Allowed Claims

Applicant appreciates the indication of allowable subject matter set forth in the Office Action. The Office Action indicates that claims 10-17 are allowed subject to the appropriate correction of the 37 C.F.R. 1.75(a) objections.¹

Further, the Office Action indicates that claims 5-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and subject to the appropriate correction of the 37 C.F.R. 1.75(a) objections.¹

Applicant continues to traverse the rejection under 35 U.S.C. §102. However, in order to expedite prosecution of this application, Applicant has amended the application based on the indication of allowable subject matter. Accordingly, it is respectfully submitted that all claims are now in condition for allowance.

Specifically, the application has been amended as follows:

Claim 1 is amended to include the features of claim 5. Claim 5 is canceled.

Claim 7 is amended to include the features of claim 1.

C. Conclusion

Accordingly, the claims have been amended based on the January 5, 2004 Office Action's indication of allowable subject matter. Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and allowance of the pending claims are respectfully solicited.

¹ As discussed in Section A, it appears the January 5, 2004 Office Action's reference to the 37 C.F.R. 1.75(a) objections is an oversight.

PATENT APPLICATION NO. 09/546,280
ATTORNEY DOCKET NO. 57761.000118

Should there be anything further required to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,
HUNTON & WILLIAMS LLP

Dated: July 6, 2004

By: 

James R. Miner
Registration No. 40,444

Hunton & Williams LLP
1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500 (Telephone)
(202) 778-2201 (Facsimile)